

II. Remarks

The Examiner rejected Claims 1 through 8 in view of prior art references and objected to Claims 9 through 13 having allowable subject matter if amended to include the elements of their base and any related claims. Applicant request reconsideration of the rejections in view of the following remarks and claim amendments submitted herewith.

Applicants are placing objected-to Claims 9 through 13 in allowable form by amending Claim 9 to include the elements of Claims 1 and 8, along with other minor amendments intended to clarify the claimed subject matter. With this amendment, dependant Claims 10 through 13 also include the limitations of Claim 9. Accordingly, Applicants submit that Claims 9 through 13 are in allowable form.

Claims 1 through 8 are rejected as obvious in view of Tanase and Lachet. Applicants respectfully submit that these references, taken either singly or in combination, do not teach or suggest the present invention.

In accordance with embodiments of the present invention as claimed in amended Claim 1, a side impact airbag is provided which is adaptable to different types of vehicle occupants. Smaller stature occupants which are typically lower in weight are ideally restrained by a side impact airbag inflated to a gas pressure lower than that for a larger and heavier occupant when they are both in a representative "side-on" collision. This adaptability is provided by positioning a closing element in a location where it is engaged by a larger occupant, reducing venting of inflation gas from the airbag, and providing a relatively high inflation pressure. The smaller occupant does not engage the closing element in such a representative "side-on" impact, allowing a less restricted

outflow of inflation gasses, thus lowering inflation pressure within the airbag. The prior art does not teach or suggest these features. Independent Claim 1 is amended to recite the adaptability features discussed above, which is described in more detail in the specification at Paragraphs 4, 5, 11, 12, 13, 34, 36-39, and also by Figures 4 through 7.

Both in the case of Tanase and Lachet, although venting valves are shown which influence airbag inflation pressure, they are not directly influenced by the stature of the occupant based on their contacting the airbag at different points as in accordance with the present invention. Airbags which respond only to pressure will allow a maximum pressure to be reached before venting occurs. In the present invention, the inflation gas is vented from the airbag chamber for the smaller occupant before a maximum pressure level is reached. This is a fundamental difference in operation between the present invention and the prior art. In accordance with Tanase and Lachet, the valves respond only to internal gas pressure within the airbag. By contrast, it is contact and engagement of the valve by an occupant which "actuates" the claimed valve, irrespective of reaching a maximum inflation pressure.

Applicants respectfully submit that the outstanding grounds for rejection are overcome in view of the remarks and claim amendments submitted herewith. Accordingly, allowance of the claims is respectfully requested.

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